

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FRANK DESAN : CIVIL ACTION  
: :  
v. : :  
: :  
RAYMOND M. LAWLER, et al. : No. 09-3648

**O R D E R**

AND NOW, this 24<sup>th</sup> day of May, 2011, upon consideration of the Petition for  
Writ of Habeas Corpus, the response thereto, and petitioner's reply, it is hereby  
**ORDERED** that for the reasons set forth above, the Petition is **DENIED WITH  
PREJUDICE AND WITHOUT A HEARING.**

**IT IS FURTHER ORDERED** that no certificate of appealability will be issued  
pursuant to 28 U.S.C. § 2253 because petitioner has failed to make a substantial showing  
of denial of a constitutional right.

The Clerk of Court is hereby directed to mark this case closed.

BY THE COURT:

/s/ J. William Ditter, Jr.  
J. WILLIAM DITTER, JR., Sr. J.